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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT TACOMA

11 DENNIS FLORER,

12 Plaintiff,

13 v.

14 CHERYL JOHNSON-BALES, *et al.*,

15 Defendants.

No. C06-5561 RJB/KLS

ORDER DENYING MOTION TO STRIKE

16 Before the court is Defendants' motion to strike Plaintiff's ten motions to compel. Dkt.  
17 226. For the reasons stated herein, the motion shall be denied.

18 **DISCUSSION**

19 On June 30, 2009, the court entered a Scheduling Order, setting a discovery deadline of  
20 November 7, 2009, and a dispositive motion deadline of December 5, 2009. Dkt. 192. On  
21 October 26, 2009, Plaintiff moved for relief from the Court imposed deadlines, stating that he  
22 needed an extension to the discovery and dispositive motion deadlines so that he could file  
23 "motions to compel, motion for summary judgment or opposition to [Defendants'] anticipated  
24 summary judgment motion ...". Dkt. 203, p. 3. On November 23, 2009, the court extended the  
25 discovery deadline to December 19, 2009, stating, "discovery is limited to the filing of a motion  
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1 to compel by Plaintiff.” Dkt. 209. The Court also extended the dispositive motion deadline to  
2 January 15, 2010.

3 On December 8, 2009, Plaintiff filed ten separate motions to compel (with noting dates of  
4 January 8, 2010). Some of the motions are over fifty pages long and he has attached thousands  
5 of pages of exhibits. Dkts. 216 through 225.

6 Prior to filing his motions to compel, Plaintiff filed a motion for summary judgment on  
7 December 4, 2009, noting it for hearing on January 1, 2010. In his motion, he asserts that there  
8 are no material facts at issue. Dkt. 211.<sup>1</sup> In support of his motion, he filed a 175-page  
9 “Statement of Material Facts” and approximately 1,500 pages of supporting exhibits. Dkt. 212.

10 Pursuant to Fed. R. Civ. P. 12(f), the court may strike any redundant, immaterial,  
11 impertinent, or scandalous matter. Although Mr. Florer filed a motion for summary judgment  
12 (supported with over one thousand pages of exhibits), asserting that there are no material facts at  
13 issue and subsequently filed ten motions to compel (with thousands of pages of exhibits  
14 attached), the court does not find the motions to compel as redundant, immaterial or impertinent.  
15 Although Mr. Florer has proceeded with the filing of his motions in an irregular manner, he was  
16 granted leave to file a motion to compel and he has not raised any new matters beyond the issues  
17 raised in his complaint and seeks no discovery additional to that set forth in his original requests.

18 Accordingly, it is **ORDERED**:


19 1) Defendants’ motion to strike (Dkt. 226) is **DENIED**.

20 2) The Clerk is directed to send copies of this Order to Plaintiff and counsel for  
21 Defendants.  
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<sup>1</sup> Plaintiff also requested and was granted leave to file an overlength summary judgment brief. Dkts. 210, 214.

1 DATED this 30th day of December, 2009.

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4 Karen L. Strombom  
5 United States Magistrate Judge  
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